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PATENT

Box Non-Fee Amendment (Pats)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Spear and Montgomery	: Group Art Unit: 1643
Appln. No.:	08/509,024	: Examiner: D. Lee
Filed:	July 28, 1995	:
For:	HERPES VIRUS ENTRY RECEPTOR PROTEIN	: Attorney Docket : No. 0290-1

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SUPPLEMENTAL AMENDMENT

This Amendment is being filed supplementary to the Amendment which was filed on June 26, 1998, in connection with the above-identified application. Kindly amend the application as follows.

In the Claims:

Please cancel claims 4-10, 13-23 and 27, and add the following new claims, claims 28-46.

--28. An isolated polynucleotide comprising a cDNA contained with the plasmid pBEC10.

29. The isolated polynucleotide sequence wherein said cDNA is the sequence of SEQ ID NO:1 from nucleotide position 294 to nucleotide position 1142.

30. An isolated polynucleotide complementary to a cDNA contained within the plasmid pBEC10.

31. The isolated polynucleotide of claim 30, wherein said polynucleotide is DNA.

32. The isolated polynucleotide of claim 30, wherein said polynucleotide is RNA.

33. An expression vector comprising the polynucleotide of claim 28.

34. The expression vector of claim 33, further comprising an enhancer-promoter operatively linked to said polynucleotide.

35. The expression vector of claim 33, wherein said polynucleotide has the nucleotide sequence of SEQ ID NO:1 from nucleotide position 294 to nucleotide position 1142.

36. A host cell transformed with the expression vector of claim 33.

37. The host cell of claim 36, wherein said cell is a mammalian cell.

38. The host cell of claim 36, wherein said cell is a bacterial cell.

39. The host cell of claim 37, wherein said cell is an ovarian cell.

40. The host cell of claim 39, wherein said ovarian cell is selected from the group consisting of CHO-A3, CHO-A12, CHO-B3, CHO-B9 and CHO-B11.

41. A method of making HVEM, comprising transforming a host cell with the expression vector of claim 33, maintaining the transformed cell for a period of time sufficient for expression of said HVEM, and recovering said HVEM from said cell.

42. The method of claim 41, wherein said host cell is a eukaryotic cell.

43. The method of claim 42, wherein said eukaryotic cell is an ovarian cell.

44. The method of claim 41, wherein said HVEM is human HVEM.

45. The method of claim 41, wherein said HVEM is encoded by SEQ ID NO:1 from nucleotide position 294 to nucleotide position 1142.

46. A plasmid selected from the group consisting of pBEC10, pBEC580 and pBL58.

REMARKS

Claims 28-46 are pending in the present application. Claims 4-10, 13 to 23 and 27 have been canceled, without prejudice.

This Supplement Amendment is being filed at this time because Applicants have discovered that errors were present in the sequence in original Figure 2 (original SEQ ID NOS:1 and 2). Following discussions with Examiners Knode and Lee, Applicants submit the present Supplemental Amendment which serves to amend the claims to more particularly point out and claim that which Applicants regard as their invention. Applicants will submit, in the very near

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future, an additional Supplemental Amendment which amends the specification to correct the erroneous sequence. Basis for newly added claim 28-46 and for correction of the sequence in Figure 2 is found in the specification on page 32, wherein it is recited that the plasmid pBEC10, which contains the correct sequence of HVEM, was deposited with the American Type Culture Collection on July 28, 1995, the date of filing of the present application.

Respectfully submitted,

SPEAR AND MONTGOMERY

September 28, 1998
(Date)

By: _____

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